

REPORT

OF THE

COMMISSIONERS APPOINTED BY THE LORDS COMMISSIONERS
OF HER MAJESTY'S TREASURY
TO ENQUIRE INTO THE CONDITION

OF

THE CIVIL SERVICE IN IRELAND

OF

RESIDENT MAGISTRATES:

TOGETHER WITH THE

MINUTES OF EVIDENCE

AND

APPENDIX.

Presented to both Houses of Parliament by Command of Her Majesty.



DUBLIN:

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CIVIL SERVICE (IN IRELAND) ENQUIRY COMMISSION.

RESIDENT MAGISTRATES.*

REPORT.

We now proceed to report to your Lordships the result of our investigation into the condition of the Resident Magistracy of Ireland.

We have examined several Magistrates who appeared before us as representatives of the general body.

They are divided into three classes, with pay as follows:—

| | | | | | |
|---------------|---|---|---|---|--------------|
| First class, | : | : | : | : | £500 a year. |
| Second class, | : | : | : | : | 400 " |
| Third class, | : | : | : | : | 300 " |

The pay and allowances were fixed in 1836, and have not since been increased. Q. 56, App. Sec. I. & II. The allowances in addition to their pay are, respectively— Q. 53.

| | £ | s. | d. |
|-------------|------|----|----|
| Two horses, | 75 | 0 | 0 |
| Orderly, | 43 | 0 | 0 |
| Clerk, | 36 | 0 | 0 |
| Stationery, | 8 | 0 | 0 |
| | £119 | 0 | 0 |

It is in evidence that, although the Resident Magistrates are allowed for a clerk, they never keep one; the allowance is really therefore part of their salary. Q. 28, 32, 37, 38, 39, 59, 59A.

The same may be said of the allowance in lieu of a mounted orderly, though neither of these allowances count towards superannuation—a state of things which we consider objectionable. Q. 36, 51, 56, 58.

With these additions, the salaries now received may be considered to be—

| | | | | | |
|---------------|---|---|---|---|--------------|
| First class, | : | : | : | : | £578 a year. |
| Second class, | : | : | : | : | 478 " |
| Third class, | : | : | : | : | 378 " |

The statement of those who now occupy the position of Resident Magistrate is, that from the greatly increased cost of living in Ireland, since the date at which the salaries were fixed, they are inadequate, and, unless supplemented by private means, which many of them possess, would not enable them to maintain the social position which a Magistrate ought to hold. Q. 54, 59, 135-1, 137, 142, 233-234, 235.

There is, it must be admitted, an abundant supply of candidates whenever a vacancy occurs; but we have ascertained from private communications with those charged with the selection of persons to fill the post, that the standard of qualification is not generally as high as could be desired. Appendix I. and II.

The position of Resident Magistrate is of great importance to the peace and general welfare of the country, and is one the conditions of which should be such as to leave the Government free to select the best men for the office. Q. 17-21, 22B.

We think it unsound in principle to make the propriety of appointment to such an office dependent in any degree on the possession of private fortune; and there is abundant proof in the evidence that the increase in the cost of living has rendered a salary, which might have been sufficient in 1836, inadequate at the present time.

* See Class III., vote 36. Civil Service Estimates 1872-3.

Finance
allowances

The Resident Magistrates are compelled to certify that they each keep two effective horses, in order to draw the forage allowance.

We propose that the obligation to keep horses should be abolished, and that a fixed sum of £100 a year, in place of the allowance for horses, according to the scale already recommended for the officers of the Royal Irish Constabulary, should be paid to each Resident Magistrate. It is to be understood that this sum is meant to provide the Magistrate with all the facilities for travelling which he now derives from keeping horses.

Travelling

The allowances for travelling and night absence from home are in a very unsatisfactory state, and afford opportunities and temptations to make inordinate charges.

They consist of 1s. per mile for every mile beyond twenty which they travel on public business, and 15s. per night for every night on which they are unavoidably absent from home.

From the great difference in the conditions of the rural districts in Ireland, it is impossible to lay down a general scale which shall be applicable to all.

We advise that these allowances should be commuted in the following manner:—A scale should be made for each district, founded on the actual payments made under these heads on an average of years past, and the amount thus ascertained should be paid to the Resident Magistrate in charge of the particular district, in full satisfaction of all claims on these accounts.

It may be objected that this plan would afford inducements to abstain from visiting places where the presence of a Resident Magistrate would be desirable on public grounds; but we have satisfied ourselves that the supervision exercised over these officers by the Government is of such a nature as to deprive this objection of all weight.

Magistrates at
Cork and
Belfast

The Resident Magistrates stationed in Cork and Belfast appear to us to occupy special positions, more analogous to those of Metropolitan Police Magistrates than to those of Resident Magistrates in the rural districts.

The distances they have to travel are not great, but their attendance in court is constant and laborious.

These circumstances, and the greater cost of living in such towns, appear to us to justify a claim for higher salaries in their case.

MONCK.

M. O'REILLY.

S. A. BLACKWOOD

7th December, 1872.

CIVIL SERVICE (IN IRELAND) ENQUIRY COMMISSION.

1872.

MINUTES OF EVIDENCE.

RESIDENT MAGISTRATES.

NOVEMBER 11TH, 1872.

Edward Fitzgerald Byre, esq., examined.

Answered II.

Examined
Fitzgerald
Byre, esq.

1. Lord MOSCOW.—You held the position of resident magistrate?—Yes.
2. Where are you stationed?—Near Wexford.
3. Which class do you belong to?—First class.
4. Your salary is £500 a year?—£300 a year.
5. How long have you been resident magistrate?—Since February, 1846.

6. Mr. BLACKWOOD.—Have you been all that time in the same class?—No; we rise by seniority and merit. There are only twenty of our body of the first class, who get £100 a year for long or active service; there is at the present moment a gentleman belonging to the body, and although there are several of them his senior, he was put over their heads; and there is another gentleman, who is senior in the body, who was passed over; it is not given as a matter of right, it is what is termed good service pay.

7. Who makes the selection?—The Chief Secretary or the Executive—the Lord Lieutenant, I should more properly say.

8. Lord MOSCOW.—In what capacity do you come here—is it merely on your own behalf, or as the representative of the body?—As the representative of the body. Our body met some short time ago, and appointed six of its number to be a committee, to carry out the details of appearing here before the Commissioners. We have consulted together, and we are here to speak on behalf of the entire body.

9. Would you tell us what allowances you have in addition to your salary?—Yes, we have an allowance for two horses of £x. a day each, which amounts to £75 a year; £36 a year for a clerk, £8 a year for stationery, and £48 a year in lieu of a mounted orderly. Having been appointed under the Constabulary Act, we are entitled to have one to go errands; in lieu of that we are allowed £43 a year.

10. What allowances have you for postage?—The actual postage in the public service, for which we are obliged to certify.

11. What are your allowances for travelling expenses?—After travelling twenty miles from home, we are allowed £x. a mile.

12. You are allowed no mileage for any distance under twenty miles?—No; for twenty miles, we must go farther than twenty miles before we can charge mileage, and then only for miles exceeding that distance.

13. Is there any other allowance in the way of travelling expenses, I mean if you remain out at night?—If we remain out for a night we are allowed £5*½*; and perhaps you would allow me to say in reference to these two items, that the magistrates conceive that it is a great hardship on them now, when horses have doubled in price, and they are obliged to buy their own horses. When we pay double the expense we did for our appointments, we take the twenty miles a day excessive, and that it ought to be diminished. As to

night allowance, take the cost of a horse, servant, and hotel expenses, and it will be found that the magistrate is out of pocket at £5*½*. Other officials belonging to the public service, the Poor Law officials, for instance, are allowed 2*½*s a night.

14. Can you from your own experience give us any statement of the relative price of horses now as compared to what it was when you were appointed to the force?—I can safely assert that they are fully double the price, I mean the class of horses that we use generally. When appointed, the horses I used to get were £15 or £16, and now I would have to pay £30 or £32 for them.

15. That was in 1846?—In 1836 when we were appointed.

16. When would you say that increase has taken place—within the last ten years?—I think the great increase in the price of horses has taken place within the last ten or twelve years.

17. Mr. O'REILLY.—What sort of a horse would you get for £10 or £15 ten years ago?—What I would call a good road hack—the same class of horse for which I would now pay £32; within the last month I purchased two horses, for one of which I paid £32, and £31 for the other.

18. What ages were the horses?—One is five years old, and the other is eight or nine years old.

19. Could you tell us what has been the change in the contract price of the horses for the constabulary in that period?—I cannot tell you with accuracy, but I know it has been considerably advanced.

20. Lord MOSCOW.—What is the extent of your district?—I should think it is about fifty miles from north to south, and about twenty-five or twenty-six miles from east to west; it embraces the entire of the county of Wexford, with the exception of New Ross.

21. I suppose you have been quartered in other parts of Ireland?—Yes, I have.

22. Is that a small or an average-sized district?—It is an average-sized district, but large of the two.

23. Mr. O'REILLY.—Where do you reside?—In Wexford.

24. In the town of Wexford?—About a mile outside of the town.

25. Is that pretty central for the district?—I think it is; Enniscorthy would, perhaps, be the more central part of the county, but there is railway communication from Wexford, which only makes a difference of forty minutes.

26. Mr. BLACKWOOD.—Are you obliged to reside in the centre of your district?—No; the whole district is under our charge; one part is not more particularly under our surveillance than another, so far as the public service is concerned, it does not matter what part we reside in, as we are responsible for the whole of our respective districts.

27. Mr. O'REILLY.—Would it not make a very

November 11.
—
Edward
Brougham
Ryan, etc.

considerable difference in another extremity of the county!—It would, decidedly. With regard to my own particular district, I do not think it makes any great difference; but in general, if a man lives at the extreme edge of his district, he has more travelling.

38. Lord MORSE.—Do the railways afford you any very considerable advantage?—Very great—the line was opened to Wexford in August last.

39. Mr. O'REILLY.—When you travel by railway are you allowed your fare and other allowances?—No; we only charge our railway fare.

30. Mr. BLACKWOOD.—I suppose you do not deduct the fare of the first twenty miles?—In point of fact, there are some of my places within the twenty miles, for which I pay the railway fare—I could not charge it—so that I may say I am out of pocket if I travel under twenty miles by railway. I can charge the railway fare if I travel say twenty-five miles, and the railway fare does not exceed six. I am allowed it, but I am not allowed the 3s. unless it exceeds the twenty miles.

31. Lord MORSE.—Do you think it would be a more satisfactory arrangement if a commuted allowance could be given for all those charges?—I do, most distinctly.

32. I presume the magistrates would be willing to make a commutation or what would cover their travelling expenses in going to various parts of their district?—I think so; unfortunately it affords facilities to some persons who are not so particular as others in making charges, so that in some instances they have proved discreditable to the body, and I think it would meet with general approval if there was a commuted allowance given in place of all those charges that I have mentioned.

33. Could you give us, for your district, a comparative statement of the amount you have actually received on account of those allowances during the past year?—In my district, they are scarcely anything.

34. But we must have some standard in order to measure the expense?—That you can obtain from the Chief Secretary's office, not only with reference to my district, but every other district in Ireland; we send in quarterly returns which include all our travelling expenses during the quarter, setting forth all the nights we have been out on duty; in my district, it would not amount to £10, while in other districts it amounts to over £100; it varies in every district, and these districts the travelling expenses vary, and they can be ascertained with the most perfect accuracy. If it would not be out of place I would make a suggestion. As the allowances vary in every district much difficulty would arise as to the way in which we should compute them, and we take the liberty of suggesting that an average should be taken of two or three years, and attach that sum to the district, but not to the individual, say where they have drawn £300 or £400, take an average of the travelling allowance, and attach that to the district; there are men in those districts, who, through age or ill health would exchange with an active young man who would be glad to get the allowance; the Government in that case would not have to pay any additional allowances.

35. Mr. O'REILLY.—Would it not be fair to go back further than the last two or three years, and ascertain what, under the circumstances, would be a proper sum to apportion to the district?—Perhaps it would be the best way; it has been a strange anomaly that different men have gone into the same district, but the amount has not been the same.

36. Lord MORSE.—With regard to the other allowances—we will take that for an orderly—that resolves itself into an allowance for a private servant?—Pretty much. We were appointed under the Constabulary Act, with which we are connected, and under that Act the officers of the constabulary are entitled to have an orderly to carry their despatches: in all we are allowed 2s. ad. a day for what would cost the Government a good deal more.

37. Would it not be better to call it by its true name, and say allowance for a servant?—That is a

matter on which I cannot give any opinion, but it comes to the same thing.

38. There is also an allowance for a clerk; as a matter of fact, do the magistrates keep a clerk?—We do not. There may be some magistrates in the cities who do, where there is constant work; there are some of us who get the members of our family, to copy our letters and such like, but as a rule we do not keep a clerk.

39. You are allowed forage for two horses which amounts to £73 a year; is the present allowance, having regard to prices, sufficient to pay for the forage?—It is not; when we take the allowance for forage, I do not think we are bound to limit it exclusively to hay and oats; there are other items which increase the expense—take the smith work for instance; when I was in Galway I had my horses shod for £1 each, and now I pay 3s. 9d.; then there is the wear and tear of our horses and carriages; of late years everything has gone up east per cent. in the shape of charges.

40. Mr. O'REILLY.—As a matter of fact, does each magistrate keep two horses?—Certainly, we are bound to certify every month that we have two horses for the public service, and that they are in good and effective condition.

41. Mr. BLACKWOOD.—What is the necessity for their keeping two horses?—In some districts there is no necessity for them, since the railway opened in my district one horse would be quite ample for my duties.

42. Is it absolutely necessary to have one horse?—Yes; because we do not know the moment day or night, we may be called upon to go to a distant part of the country; the constabulary officer reports every outrage to us, and if we should consider it a serious one and that our aid will assist to detect the criminal, or that we can be useful in any way, we are bound to go there immediately.

43. Lord MORSE.—What would you say as to adopting a regulation of this kind—instead of insisting on each magistrate keeping two horses, to add a money compensation, calculated on what the two horses cost, and not insisting on the magistrate keeping a horse, but let him be bound to do his duty in the best manner he could—I think that would meet the case very much, and work with advantage to the magistrate, without any disadvantage to the public.

44. Mr. O'REILLY.—How far would the regulations enable the authorities to ascertain that the magistrate had fully performed his duty?—We are bound to attend every session in our district, and if we do not, by a recent regulation, we are bound to state the reason why.

45. With regard to outrages?—We are bound to make an report of any outrage that we think of an aggravated nature, and show whether we have attended in the locality where it took place or not.

46. Mr. BLACKWOOD.—Do you think that the present system, whereby a magistrate receives an allowance of 1s. a mile for every mile outside of the twenty miles leads him sometimes to undertake visits to scenes of outrage which are not absolutely necessary?—That would be more a matter for someone else positive evidence.

47. Do you think it is open to that objection?—I do think, to a certain extent, persons may avail themselves of it, it is open to objections decidedly; a man may make work for himself in point of fact.

48. Do you think the present system of allowances, whose amount is not considered as part of the pay in the calculation of pension, tends to retain magistrates in the service beyond the period when they are absolutely efficient?—I do think that the low scale of retiring allowances acts very injuriously in that way, and induces many magistrates who, in my opinion, may be said to be exhausted, to hold on in consequence of the lowness of the retiring allowances. I do not now speak with regard to myself, or the ten first magistrates in the list, because we are on the old scale, and our retiring allowance is better than that laid down since the passing of the Act in August, 1868; the resident magistrates now come under the scale of civil service pensions.

49. Then it does not affect you?—No; one of that class is in attendance for examination, and he is personally more concerned in that matter than I am, and he will give you more accurate information as to the scale of pensions than I can.

50. What is your opinion on the matter, as not being affected by it?—We form an exception to the servants of the Civil Service as our pensions are solely calculated on our salary; if we retire to-morrow there is no calculation made on the £100 a year I alluded to; we do not keep a clerk or a mounted orderly, so that may be regarded as salary, but if we were retiring it is not taken into consideration in the retiring allowance, and consequently the loss is great on the person becoming a pensioner.

51. Lord Mosse.—You would not, under any circumstances, make the allowance for travelling the basis of calculation?—Certainly not, the allowance for travelling is supposed merely to cover our expenses; the two items which I think ought to be counted are those of the clerk and orderly.

52. Which you are in fact getting in addition to your pay?—Yes, there is £100 in the entire; this is given altogether as a standing allowance for horse, clerk, and orderly, amounting accurately to £169, which, in consequence of the increased price of horses and fodder, you might recommend should be increased to £200, which would meet the increased outlay with regard to the expense of horses principally. We also hope, in the case of our retiring, that those allowances should be taken into consideration, as well as the salary, in giving us our pensions.

53. Can you tell us when these allowances were fixed at their present rate?—They were fixed at the time of our appointment.

54. In 1836?—Yes.

55. Is the allowance for stationary sufficient?—I do not know; £5 a year is a mere trifle, we consume a good deal of stationary, yet I suppose it covers it.

56. Is there any other suggestion that you will like to make to us?—Yes, the suggestion which comes from the magistrates is this—the main grounds of what we claim in the way of increased remuneration, rests on those grounds—we were appointed, as you are already aware, in the year 1836, at a period at which, according to the market rates, things were 100 per cent. less, at the least, than they are at present; all masters for domestic consumption, servants' wages, and the price of horses were fully, at that time, 100 per cent. cheaper than what they are at the present moment. In 1836 the appointments were made, and in that year the Legislature conceived that the salary which would be adequate to maintain ourselves in a position of respectability and independence, should at that time be fixed at £400 a year. Since that time there has been no increase whatever to the salaries of the great majority of our body, and the twenty juniors of the body have been reduced to £100 a year. Four hundred pounds a year represented as much as £700 a year at the present time, allowing for some articles that I have not advanced in some proportion. The pay of other civil servants, for the same period, has been increased considerably—not enough, I agree with them, but still it has been increased. In the constabulary there has been an increase, as compared with what it was in 1836, of fully fifty per cent. The junior officers in the force then received £100 a year, some time afterwards there was an increase, and they got £125, they then received a lodging allowance. Prior to 1836 the police magistrate received an allowance of £100 as lodgings allowance, but on the passing of the Act of 1836 we were deprived of the £100 lodgings allowance. Since then the constabulary—with which Act we are connected—received an allowance of from £15 to £20; that, with £25 extra pay, would give an increase of fifty per cent. to third class officers, whereas we have not received a single shilling. Some years ago we were better off, not richer than we are now.

We cannot impress too strongly on the Commissioners the fact, that it is most necessary, in the interest of the public service, that we should hold socially a position of respectability and independence. There is no people in the world more sensitive than the Irish people on this point, and it would be most desirable that we should be kept in that position. The price of everything at that time was fully 100 per cent. less than they are at present.

57. Lord Mosse.—With regard to the effect of position, I would like to ask you one or two questions. The position of Resident Magistrate on the whole is a pleasant one, taking the round of composition?—Yes.

58. I presume it is within your knowledge that his position is very much sought after?—Yes.

59. And that there is no lack of candidates?—Yes.

60. And of efficient candidates?—Yes.

61. At the present salary?—I am quite aware of that. In fact I know from the late and the present Lord Lieutenant, that such is the case, but still we believe that would be quite an unworthy consideration for a Government. We believe also there is no appointment under the Crown that if you put it up to auction you wouldn't get persons to bid at a low price. Perhaps I might draw your attention to the fact to which Mr. Blackwood alluded, namely, that it so happens that in some instances the salaries of petty sessions clerks, who act under us, and who obey our orders at petty sessions, are equal to those of the Resident Magistrates who have recently been appointed. The petty sessions clerks may according to the law of 26th Vict., have a salary of £200 a year, and the Resident Magistrate who may be appointed the same day, and who is his superior, is appointed at £200 a year. Mr. Gould will tell you that his clerk in Waterford has £300; other clerks have the same. There is one in Waterford, one in Limerick, and there are others in several other large cities, who are appointed at £200 a year salary; and the Resident Magistrate is appointed at the same amount.

62. Mr. Blackwood.—In the document you have handed to us you have remarked that several recent enactments, such as the Peace Preservation Act, Small Debts Act, Criminal Justice Act, and others have without any increase of salary, added considerably to your duties. I presume when you accepted the appointment of Resident Magistrate it was understood the whole of your time was to be devoted to the public service?—Yes.

63. Are there more duties imposed on you than you can reasonably perform?—No, I think not, that we cannot reasonably perform. I think that paragraph was inserted in consequence of a movement of the assistant barristers in the House of Commons asking for an increase of salary for their extra duties under the Land Act, and the public have, from the statements made, a hope that swing to the increased work they will receive an increase of pay.

64. Lord Mosse.—Would not there be that distinction between your case and that of the assistant barristers to whom Mr. Blackwood alludes—namely, that the assistant barristers are not supposed to devote their whole time to the public service?—They are not, and they are so much better off. The salaries of assistant barristers when they were assistant barristers, were derived from fees. The fact is their position has been very much improved since they were placed on fixed salaries. They can also practice at their profession and hold other appointments of emolument, which we are precluded from doing. Yet our duties, with a more limited jurisdiction, are similar to theirs on the one hand, and assimilated to the police on the other, in the preservation of the peace at elections, political associations, &c., at considerable personal risk; and while both those classes of public servants have had increased emoluments, we have been up to this passed over.

November 11,
—
Edward Fitzgerald
Ryan, esq.

November 12.

George Gould,

65. Lord Moxon.—You hold the position of resident magistrate—I do, since the year 1840.

66. What part of the country are you now quartered in—I in Waterford.

67. You have been in other parts of the country?—Yes; when I was first appointed I was in Limerick; I was afterwards sent to Athlone, from Athlone to Clonmel, and from Clonmel to Waterford.

68. You are at present in the first class, receiving £560 a year?—Yes.

69. We have had an account of your pay and allowances from Mr. Ryan. You are allowed £43 in lieu of an orderly, and £36 for a clerk?—Yes.

70. Do you keep a clerk?—I do not, I do my own work myself; as a rule, I don't think it safe to keep a clerk.

71. The allowance of £43 is in lieu of a constabulary orderly whom you used to be allowed?—We were provided with a mounted constabulary orderly.

72. You now keep a servant of your own?—Yes.

73. What does that servant cost you?—That servant costs me, inclusive of his clothes, £55.

74. Mr. BLACKWOOD.—Will you tell us how you arrive at that amount?—His wages and his keep.

75. Will you give us them in detail?—His wages are £5, a week (my present servant is going to leave me if I do not give him more), I also clothe and lodge him.

76. Mr. O'REILLY.—That is board wages—he feeds himself?—Yes.

77. Mr. BLACKWOOD.—£59 a year for wages and also board wages?—Yes.

78. And then?—And then his clothes.

79. How much?—I am obliged to give him two suits of stable clothes a year, and also better clothes for ordinary wear.

80. Then the difference between £59 and £55 is made up by his clothes and lodging?—Yes, it doesn't cover it, I put it at that. Shifting them, as one has to do everlastingly, one cannot avoid getting men of different sizes, entailing constant expense in clothes—it costs me more in reality.

81. Lord Moxon.—Do you think it would be possible or desirable to give a estimated allowance for each district in lieu of the travelling allowance of £1 a mile, for every mile travelled over twenty miles on duty, and £5 a night if you are necessarily obliged to remain away on duty?—I have considered that matter, and I find it very hard to come to a conclusion upon it, the districts are so unevenly divided. The week is so different that I hardly see how it is to be done; it varies very much according to my expenses. I have had a district which would get into a state of disturbance which would keep me constantly going. When that disturbance subsided I wouldn't have anything to do except my ordinary duty; it might arise again, and I would have the same trouble. I have myself in the county of Limerick been out every day of my life, and barely able to come home to dinner till ten o'clock at night, for some time the district got quiet, and I did not require to undergo the same amount of trouble, therefore, a fixed allowance might not be enough in some instances to meet the outlay of the magistrate.

82. But taking an average of a number of years, including periods of disturbance and periods of quiet, and giving a fair allowance for a single year, wouldn't a estimated allowance answer?—It might, with regard to some districts. As you know, disturbance travels from one place to another, some places which may be perfectly quiet break out of a sudden. It is a matter I would not wish to give an opinion upon, it is very difficult. I am nearly at the end of my career, and it cannot affect me, but I don't see how it could work fairly to the hard worked man without giving too much to the man who is less worked.

83. I will ask you another question. Is not the present mode of making the allowance—I am merely asking you generally—open to considerable abuse?—

George Gould, esq., examined.

I have known it to be so; but with the changes they have made lately, except a gentleman forgets everything he owes to himself, I don't see why it should be abused.

84. Don't you think it is open to abuse in this way; your duties are in some degree optional. For instance, a petty outrage may take place twenty-five miles from you, and there is some personal object in going there and staying out a night, although a resident magistrate's presence is not in the least required there?—That may be, there is no doubt.

85. And don't you think it would be better to give a man his allowance in a way which would leave no indecent whatever to run up a bill, so to speak?—It may cut the other way.

86. I don't think so, from what Mr. Ryan told us of the work, unless a man neglects his duty. You are obliged to be at every petty session in your district, or give good reason for non-attendance?—Yes.

87. In cases of outrage you are obliged to make a report?—Yes, if serious, and a report necessary in addition to that of the constabulary.

88. That report shows on the face of it whether you visited the scene of an outrage or not?—Yes, generally. But if you wish to manufacture, you may supply a good many reasons for not going there at all. In our returns there is one line for every day. I defy you to get in that way thing intelligible; for it should include all the sorts of duty you do; it is impossible to do that; it is very easy to fill up that line; it is a form that has its advantages and disadvantages. On the one hand you may be paid for work which you need not do, but which you are justified in doing; and on the other, you may be doing a vast amount of work which you are not paid for except by your office. Some may be doing a great deal more work in point of fact at home, than a man is when travelling through the country. Take my own case—I am a magistrate of Waterford, and of Kilkenny, and I have part of Wexford. I live in the city of Waterford. I am at work every day from ten o'clock in the morning until four o'clock in the afternoon, and I cannot be paid for it. I cannot state the number of extra cases before me, while another may be travelling miles over the country, and really doing nothing at all.

89. Don't you think it is undesirable that an officer should have pecuniary consideration introduced into the question whether he ought to take a particular step in the discharge of his duty or not?—Unquestionably, no doubt of that.

90. Don't you think it would be better he should feel—"I am paid for going to this place, whether I go there or not, if it is necessary"?—I think it would be much more consonant to the feelings of gentlemen not to be furnishing these small accounts. I feel it myself very unpleasant, and I very often lose rather than gain them. The view I take of the matter is this:—when I was appointed in 1840 the salaries began at £600 a year, and it was considered a proper allowance for the office, and considering that we had to keep a couple of horses, and a certain position, it was not too much. Now it is totally inadequate. Whilst private means, it would require £890 or £900 a year to keep up the same. At first it did not require much of my private means to supplement my salary; now it exhausts all those means to keep me at the same level as then. According to my view, we cannot be considered as seeking an increase of salary, but merely seeking a readjustment, in accordance with the rise of prices, as to replace us in the position we were in when we were first appointed. That is the proper ground to place it on; the rest I look on as small matters of detail. It is but a rate of three: £600 a year was the sum supposed adequate to keep up the position in 1840, when the Act was passed, at present it is totally inadequate. It costs me £300 or £400 a year more than my salary to keep up the position I must maintain.

George Arthur Molony, esq., examined.

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George Arthur
Molony, esq.

91. Lord MECHE.—You hold the position of resident magistrate—I do.

92. Where are you stationed?—Omagh, county of Tyrone.

93. How long have you been a resident magistrate—I am in my tenth year. I was formerly in the constabulary for fourteen years.

94. What class do you belong to—I am second class.

95. £400 a year?—Yes.

96. We have heard from Mr. Ryan a statement of your pay and allowances, and the general condition of the resident magistrate, and we find that you are allowed £38 for a clerk, and £58 for an orderly?—Yes.

97. Do you keep a clerk?—I do not. I do the work myself.

98. Then the orderly is a servant?—I look on him as such.

99. The practical effect is that this £58 is an addition to your salary. You need not keep a servant if you don't like it—I must keep a servant to look after horses; it is compulsory.

100. What I mean is, suppose you were not allowed an orderly, you would have to pay a servant out of your own pocket?—Certainly.

101. And that allowance does not pay a servant?—It is not sufficient.

102. Could you tell us what is the cost of keeping a servant?—My servant costs me a guinea a week. I pay £1 a week to my groom; I give him his clothes besides, the £1 a week is his wages and board wages.

103. What do his clothes cost in round numbers?—£10 a year.

104. You are obliged by a rule of the service to keep two horses?—Yes.

105. And to certify that you do keep them?—Yes.

106. And for that you get for forage an allowance of £33 a year?—Yes.

107. Is that allowance sufficient at present prices?—Certainly not. I always endeavour to make it do, because I lay no forage at a sharp time, but if I had to buy it in the market the allowance is not at all adequate.

108. That is, if you had to buy from week to week?—From week to week, it is not at all adequate; forage is four times higher than it was twenty years ago.

109. Could you give us according to your recollection, the price per ton?—Certainly I was quartered in Omagh twenty-four or twenty-five years ago as a constabulary officer.

110. Could you mention the year?—1849 or '50. I could get straw then for 10s a ton. I bought a great deal of it, and at the present moment I would not get any under £3 a ton; from £3 to £5 10s.

111. Hay?—The best hay I used to get for £3 a ton; the best hay now I cannot get under £5 a ton.

112. Oats?—Oats I used to get then for 7d; or 8d, a stone, they are now on an average 1s. a stone—about 11d or 1s. a stone.

113.—With regard to travelling allowance you are allowed 1s. a mile, every mile you travel over twenty?—Yes.

114. And if you remain out for a night you are allowed 1s?—Yes.

115. Independent of the sufficiency or insufficiency of this allowance do you think that it is a good mode of meeting your travelling expenses?—I do not, though I have a travelling county, I don't like it. I have a very large district, the largest perhaps in Ireland; and I could not do the duties unless I had railway accommodation.

116. What mode would you suggest in substitution for this system of travelling expenses?—I would suggest that an average should be struck—a fair average of the working districts, where there had been really fair work done, and I would leave it to the Under-

Secretary to say what would be a fair thing in lieu of that money.

117. A fair commission?—Yes, and that that sum should be allowed to each district and attached to the district.

118. Would you think it well to develop that plan still further by withdrawing the obligation of keeping horses from stipendiary magistrates, and adding a sum which would cover the cost of forage &c., allowing the magistrate to keep horses, or not, as he liked?—Certainly, if there was an adequate sum allowed, I think if the work of a district is performed, the way the location is done is nothing to the Government.

119. Mr. BLACKWOOD.—I presume that under the present system whereby you can only draw forage allowance upon a certificate that your two horses are in effective condition, you are put to some loss when either of your horses is sick?—I am allowed the forage, but I must provide locomotion.

120. Lord MECHE.—Is there any suggestion you would like to make yourself?—I need scarcely say, as it has been said before, that everything is more than 100 per cent dearer than it was twenty-five or thirty years ago, and that to the vulgar mind we, persons judges as we are, have a certain position to keep up. The salary upon which we have to do this is very inadequate. I know I am very much pinched myself.

121. Can you give us a comparative statement of the cost of the ordinary necessaries of life for the last thirty years?—Yes; I can produce the contest prices of the posthouse at Omagh. I can also give the prices in 1844 and 1847, taken from the local papers. I need not say that everything is up in proportion.

OMAGH UNION CONTRACT PRICES

| Articles | 1848 | 1849 | 1850 | 1851 |
|-----------|----------------|-----------------|-----------------|---------------|
| Oatmeal, | 9s 4d per cwt. | 12s 3d per cwt. | 14s 7d per cwt. | 18s per cwt. |
| Bread, | 1s 1d per lb. | — | — | 1s 1d per lb. |
| Beef, | 1s 7d per lb. | — | 1s 7d per lb. | 1s 7d per lb. |
| Potatoes, | 2s 4d per cwt. | — | 1s 7d per cwt. | — |
| Turk, | 4d per lb. | 6d per lb. | 1s 7d per lb. | 2s 4d per lb. |

PRICES TAKEN FROM OMAGH PAPERS

Eighth November, 1844, Omagh Market.—Beef, 3d to 4d per lb.; mutton, 6d; butter, 8d to 9d per lb. of 16 ozs.; potatoes per stone, 1½d; flour, first, 4s per cwt.

Fifth November, 1844, Omagh Market.—Beef, 2s 6d to 3d per lb.; mutton, 5d to 6d; butter, 8d to 9d; marmal, 1s per cwt.; potatoes, 2d per stone; pork, 3d per cwt.; turf, 8d to 10d per load.

Eighth November, 1844, Omagh Market.—Beef, 3d to 4d per lb.; mutton, 6d; butter, 8d per lb.; eggs, 6d per dozen.

Twentieth October, 1847, Omagh Market.—Beef, 4d to 5d per lb.; mutton, 4s 6d to 6d per lb.; butter, 7d to 8d per lb.; potatoes, 3d to 4d per stone; oatmeal, 1s 4d per cwt.; turf, 8d to 10d per load.

Twelfth November, 1844, Omagh Market.—Beef, 2s 6d to 3d per lb.; mutton, 3d to 3d per lb.; butter, 8d to 9d per lb.; potatoes, 2d per stone; flour, 1s per cwt.; oats, 1s per cwt.; turfs, 8d to 10d per load.

Eleventh November, 1849, Omagh Market.—Oats, from 9d to 1s 6d per stone; pork, 47s. to 52s. per cwt.; butter, 1s to 1s 2d per lb.; oatmeal, 12s. 6d to 14s. 6d per cwt.; potatoes, 8d to 9d per stone; turf, 8d to 10s per load; beef, 8d to 10d per lb.; mutton, 8d to 10d per lb.

122. Is there anything else you would like to say?—We feel a great grievance about the reducing allowance.

123. Are you on what is called the new scale?—I am, and we thank there should be some alteration made with regard to that. There is now no inducement at all to a man with a family to retire. He must hold on, whether he is able to do the duty or not, the position is so very small. If I were a first-class resident magistrate, drawing £600 a year, I could

Answer 11.
George Arthur
Molloy, esq.

only retire after my full thirty years' service on £330 a year, two-thirds the salary of £600, and on medical certificate.

124. Mr. BLACKWOOD.—But that rate of pension is inseparable from the universal system of superannuation throughout the whole Civil Service?—Yes, it is universal, I believe.

125. I mean to say you stand in no worse position as regards pension than other civil servants?—Certainly not; but I think I should mention that we have a great deal of work to do. I need not tell you, who know their position, that assistant barristers are allowed to practise their profession, and although they have salaries varying from £200 to £1,100 a year, after fifteen years' service they can claim two-thirds of a retiring allowance. I cannot claim that until I am forty years in the service, and then I am a worn out old man.

126. But I presume that the assistant barristers

are compelled to have a professional education, which the resident magistrates are not!—Yes, of course they have had that; but most of the resident magistrates have had just as good an education, though perhaps not a professional one. We do exactly similar work to that of the assistant barrister, except that in one case the amount is smaller. I think that £1 is a night should be allowed when on extraordinary duty. I have been at the assizes, and have paid £1 a night for my bed in the town of Roscommon, and while on special duty, say at the riots at Belfast, we were out more than that.

127. Mr. O'REILLY.—Do I understand you to mean that you think a special allowance of a guinea a day would be required when ordered on special duty to any district of Ireland than that in which you are stationed?—Yes, that is my belief.

128. The £6 a day would do in your own district?—It might; but certainly not in another.

The Hon.
William F.
Fitzgerald.

The Hon. William Francis Forbes, examined.

129. Lord MONCK.—What position do you hold?—I hold the position of resident magistrate, and I have been in that position a little more than seven years. I am in the second class.

130. Where are you quartered now?—At the Carragh. I have been there since my appointment.

131. We have heard a statement of your allowances, salary, and other matters from gentlemen who have already been here. If there is any statement you would like to make before the Commission, we would be glad to hear it!—I have here a letter of the Marquis of Hastings's, which Mr. Ryan did not show you, in which he said our salary would be considered.

132. Yes, and the second part of this letter refers to the allowances, and we know what they are. Have you considered any plan by which a more satisfactory arrangement could be arrived at?—With reference to the average of travelling allowances, I think a bulk sum would be far fairer than the present system; but for election duty you could not give a bulk sum, because we might be sent from one part of Ireland to another. I mean that for duty within the county you could give a bulk sum.

133. But if you are sent out of your district there should be a special allowance?—Yes, but there are some districts to which there is no travelling allowance paid, and yet they are more expensive than others—Cork, for instance, and Belfast, and my district is one of the most expensive in Ireland.

134. But not in reference to travelling?—No, I have no travelling at all, but of course I have to keep

up a certain appearance there which I would not have to do in the west of Ireland, or in a far-away district. Of course the price of everything at the Carragh is just the same as in Dublin, and in fact the vegetables are bought in Dublin that are sold at the Carragh.

135. Do you ground your statement that this is a very expensive position on the cost of living?—Yes.

136. Is it more expensive for you, as a resident magistrate living at the Carragh, than it would be for a country gentleman living in the neighbourhood?—Yes, because he would have the proceeds of his own farm.

137. But I mean a gentleman living there?—Yes, it would be.

138. Why?—Because every person living at the camp is considered fair game, and a higher charge is made to people living at the camp temporarily than to people who belong to and live in the neighbourhood. For straw and hay they charge more to a non-resident than to a resident.

139. Mr. BLACKWOOD.—Do you keep a duck?—I do not. Any copying I have to do is done by members of my own family. Our nightly allowance at elections, for instance, is totally insufficient. At the Meath election I had to pay some £2 for two nights, and my allowance was only 15s.

140. That would come under the answer you have already given, that a special allowance should be made, within your own district do you find any difficulty?—No, I am never out. I have a daily court within my own district.

Arthur Mitchell, esq., examined

141. Lord MONCK.—What position do you hold?—I hold the position of resident magistrate. I am situated at Bellary, county Mayo.

142. How long have you been a resident magistrate?—A little better than three years.

143. Were you in the public service before?—No, I was a barrister.

144. I suppose you have the ordinary rate of pay?—Yes, of my grade in the service, £330 a year, of course my allowances are the same as the rest.

145. We have heard the whole case from the gentleman who has preceded you. I mean we have got the facts as to your allowances, and the mode in which they are given, so I will not go through that. If there is any suggestion you would like to make we would be glad to hear it!—There is a question about the superannuation allowance which may not have been adverted to. I believe in 1847 a change was made by which we are only entitled to one-sixth of our pay, exclusive of allowances, for each year of service, being allowed, however, ten years from date of appointment. Thus I consider requires great amend-

ment, as taking the average period of life at which we are appointed at thirty-five, a magistrate sixty-five years of age in the possession of £600 a year between pay and allowances, is only entitled to £330 if he wishes to retire. Previous to the date above mentioned, he was, I understand, entitled to full pay on reaching his sixtieth year.

146. Are you aware that in that respect you are on precisely the same footing with other civil servants?—The other civil servants, I apprehend, count on better terms, but a general change in the system is required.

147. Mr. BLACKWOOD.—But I suppose you are aware of the scale of pension when you accepted the appointment?—I really did not, but I might have known of course if I had made inquiries. But even at the time I was appointed there was a great deal of talk about the probability of our getting a large increase of pay in consequence of the length of time that had elapsed since 1836. The salary then was stated in the Act as £600 a year, and I thought I was to get that amount when I was appointed. As far as regards the allow-

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Arthur
Mitchell, esq.

ance, I am in a district where there is a great deal of travelling, and I travelled last month 600 or 500 miles. I sometimes travel thirty-six miles to Swindon and back in the day, and get nothing for it, and sometimes to Teversary and back, forty miles—miles for which I get nothing; but from the great distance and lengthened sitting of the court, I generally remain from home at night.

148. Do you think the present mode of meeting extraordinary travelling expenses by this kind of mileage allowance a satisfactory plan?—No, I do not, because I hear that different resident magistrates going to the same district make different charges. I do not think it will occur so much in the future, because the Government now require us to give reasons why we do not attend petty sessions, and I suppose the difference will be equal all through Ireland, and there cannot be any great divergence in the sums given in. If an average was taken for seven years I am sure there would be a great diversity in the charges, some heretofore possibly not being as anxious as they might about attendance, and others very anxious.

149. Do you think it would be possible to make a scale for each resident magistrate's district in Ireland of a commuted allowance in lieu of the mileage rate, and to add to that a sum which would be fair to allow magistrates for keeping a pair of horses—allowing them to keep horses or not as they pleased?—Yes, but perhaps I do not exactly understand your proposal. It would be fair and desirable, in my opinion, if it can be arranged to have a bulk sum allotted to each district proportionable to the mileage heretofore charged, and then have the existing allowances or such increase of them as may appear proper in another bulk sum common to all.

150. Mr. BLACKWOOD.—Do I understand you to imply that if you were not compelled to keep two horses there would be no necessity for a private servant, for whom you now receive £48 a year?—I do not think there would be. For instance, there are a great many houses no better supplied with money than mine, which can be managed very well with a maid-

servant or two, and I do not think I would keep a man-servant if I had not the horses, but horses are a necessity of our position. I look upon the £36 a year for a clerk as an increase to my salary, but I never looked upon the £42 a year as such. The two great points I wish to speak of are, first, about the general question of our pay being the same as thirty-six years ago, and the general inadequacy of our allowances. All the necessities of life are one hundred per cent, or thereabouts in excess of what they were then, and the lodging allowance of £100 per year enjoyed previous to that time has not been restored, although horse rent has risen enormously.

151. Do you think that having entered the service three years ago, you can individually prefer my claims on the ground of the allowances and salaries thirty-six years ago?—I think I can. I hoped even then we would be increased in our pay and allowances from all I could hear from different quarters, and I myself would probably not have looked for the situation but for ill health when I was at the bar.

152. Have you any remarks to make upon the personal allowance for each night absent from home?—I consider that 16s. a night is too small. I remember paying 10s. for my bed at night at Birmingham, and my expenses there may have amounted to 30s. a night instead of 16s., and in other large towns it is often much more than £1. I do not think it would be too much to allow us £1 instead of 16s., as we generally have our horses and servant with us.

153. But you must take into account in this question that when you are absent on ordinary duties some proportion of your expenditure for yourself, your servant, and your horses is counterbalanced by the saving at home?—Yes, but I would not go to those small hotels if I could help it. It is the greatest personal inconvenience to stop at them. If you go to some of these places after a laborious day, you get a wretched dinner, and meet few with whom you can agreeably associate. The slight advantages referred to set this, I think, outweighed by the personal discomforts.

Hon. Thomas Oliver Fleetwood examined.

*Hon. Thomas
Oliver
Fleetwood.*

154. Lord MOROS.—What position do you hold?—I hold the position of resident magistrate. I have been in the office for six and a half years. I am in the second class and I am stationed in Longford.

155. Have you any suggestion you would like to place before us?—The only suggestion I would like to make is with regard to the retiring allowance—that instead of forty years' service it should be at thirty.

156. The maximum?—Yes, the maximum should be to allow them out on full pay the same as officers in the army. Officers in the army can retire on full pay after thirty years' service, and on half pay after twenty-one years' service.

157. Mr. BLACKWOOD.—What reasons have you for assimilating your position in respect to pension with officers in the army?—I consider that my work as a magistrate is more severe than that of an officer in the army. I was twelve years in the army myself.

158. Lord MOROS.—Would you say it is more severe than service in India?—Yes; assuming the climate agrees with a man in India, his service there is very light.

159. Mr. BLACKWOOD.—I presume you were aware of the pension attached to your present position when you accepted it, or you had an opportunity of knowing it?—Yes; but I merely make the suggestion, because after forty years' service a man would in the ordinary course of life have but a short time to enjoy a pension.

160. Lord MOROS.—You are aware that the scale of pension is that which prevails in the whole of the civil service of the country?—Yes; it is forty years, and ten years is added on account of the professional class.

161. Mr. BLACKWOOD.—Do you come under the

professional classes?—As I understand I would be entitled to add ten years to my service as resident magistrate.

162. Then that puts you in a better position than the generality of civil servants?—It is not better.

163. But you are in a better position as regards your prospect of a retiring allowance than the general body of the civil servants?—Yes.

164. Lord MOROS.—Is there any observation you would like to make about the allowances?—With regard to the horse allowance, it is totally insufficient to keep horses and servants, which are necessary with horses. And also the night allowance is insufficient. I have had on several occasions myself to pay £1. a night for my bed.

165. These were special occasions?—Well, it is always on special occasions we go.

166. But when within your own district, when you are obliged by law to attend petty sessions to stay out, don't you think £1. would be sufficient?—No, certainly not. If you go to a hotel with your servant and horses £1. will not do it.

167. Mr. BLACKWOOD.—Could you give us the items of ordinary expenses for a night absent from home?—I could give you an idea, but not the exact items.

168. About what, from memory?—They charge 3s. for a horse, and then there is a fee to the hotel.

169. How much for him?—You could not give him less than 1s., and then you have to pay for your own servant.

170. How much?—They charge about 2s. for his bed, and about 1s. altogether. Then there is my own expense—dinner, bed, and breakfast—about 7s. or 8s.

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Hon. Thomas
O'Brien
Blackwood.

171. Well, take it at £1. a day as the lowest, and that is 16s. a day!—I am not including attendance. I should say 2s. a day for servants, which would make 18s. or 19s. With regard to mileage, we have to travel forty miles in a day before we can charge mileage.

172. And what have you to say about that?—Well, I should say twenty would be a very long distance. Supposing you travel twenty-one miles to a petty session and twenty-one back, all you can charge is 2s. for your horse travelling forty-two miles.

173. But that is the purpose for which you draw forage allowance—to keep the horses that carry you these forty miles!—Yes, but the horse that travels forty miles to petty sessions one day is not fit for much work the next day or day after.

174. But you do not attend petty sessions every day in the week!—I attend five days one week, four another week, and three another week, and then the five again, besides visiting outparts. I have the whole county to attend to, and I do not get 6d. mileage in the year.

175. How long do your horses last you?—Well, I make them last me as long as I can, because you would pay £25 or £30 now for the horse you would get a few years ago for £20.

176. Mr. BLACKWOOD.—If you were not obliged to keep the two horses which you now keep, would you have any necessity for a man servant, to cover whose expenses you receive £12 a year?—I keep two men servants. I am obliged to keep three horses, and I only get allowance for two; I could not do the work with two horses.

177. But that is not an answer to my question, which has regard to the two horses which you are obliged to keep, and for which you receive forage allowance, and to attend to which you are obliged to keep a servant. Am I right in supposing that if you had not to keep the two horses, you would not require

a man servant?—I would not require stable servants if I had no horses.

178. Lord MOSCOW.—With regard to keeping horses generally, do you think it would be possible to give a compensated allowance to the magistrates, and let them do their duty in their own way, instead of insisting upon their keeping horses?—I think it would be quite possible.

179. Do you think it would be desirable?—I think it would be desirable to attach an allowance to each district, and let it be part and parcel of the district, for within the last few years the allowance is totally insufficient. I bought hay at Longford last week at 4s. 9d. a cwt.—that is £1 15s. a ton.

180. Mr. BLACKWOOD.—Have you any reason for thinking that if you received an allowance to cover travelling expenses, and that you were permitted to perform your locomotion in any way you choose, it would be cheaper and more inexpensive arrangement than that now in force?—It would depend upon what the allowance was. At present the cost is about £75 for the forage of horses and £62 for the servant to look after those horses.

181. Do you think it would cost you as much as that to hire carts?—That is the allowance I get, but it costs me a great deal more. I only get allowance for two horses, but I could not do the work with two horses, and I am obliged to have a third; and they cost me more than £12 for forage, and I only get £7.5.

182. Would it cost you as much to perform all your travelling by means of hired vehicles as it now does by means of your own horses and servants?—It would cost more.

183. Will you give the reason then, that we may have it on the notes. You went into a calculation of the cost of carts?—Yes. What I would have to pay for carts to do the same work would exceed the £7.5 a year I get for the horses I have to keep.

Adjourned.

NOVEMBER 12, 1872.

William Robert Starkie, esq., examined.

William R.
Starkie, esq.

184. Lord MOSCOW.—What position do you hold in the public service?—I am one of the two resident magistrates situated in Cork.

185. What is your present rate of salary?—I am in the first class since the 18th of September, 1873.

186. Your salary is £300 a year?—Yes.

187. Have you the same allowances as resident magistrate of Cork that the other magistrates in Ireland have?—Exactly the same allowances. We are also allowed actual railway fare from Cork to Queenstown when obliged to go to the latter on duty.

188. We have had the case of the resident magistrate, and their allowances, stated very fully by your colleague yesterday, so that, unless there is any special matter you wish to bring before the Commissioners, connected with your own appointment, we will not trouble you much. Is there anything special that you wish to bring under our notice?—The duties in Cork are heavier, and the responsibility greater, than they are in any station in Ireland, except perhaps in Belfast, and besides, in addition to the duty in the city of Cork, we have an important rural district to attend to.

189. Your duties are pretty much the same as those which the police magistrates in Dublin have to discharge?—Yes, we have the same sort of duty to perform in the police courts, and, in addition to those duties, we have cast upon us the responsibility of preserving the peace in the city, and in fact in our whole district, which is sometimes a hazardous and responsible duty; so that our position is a much more responsible one than that of the police magistrates in Dublin, as I am given to understand that the duty of preserving the peace in Dublin is imposed on the Commissioner of Police, and not on the magistrates.

190. Do you hold a court every day?—Every day we have a police court in Cork.

191. What is the average length of your sitting each day?—We sit at seven o'clock each day, and we are sometimes occupied till four o'clock, three o'clock, or half-past two o'clock, according to the state of the business; as a rule the business is seldom over before two or half-past two o'clock.

192. Mr. O'REILLY.—Do you both sit together in the same court?—Not often. We divide the duties in this way—There is a large rural district attached to the city, and one week I go to the rural district, while my colleague attends to the city, or he goes to the rural district, while I attend to the city.

193. How many days in the week do you sit in the country district?—My colleague during his country week has a petty session to attend every day except Saturday. In every country week I have to attend petty sessions every day except Thursday and Saturday. Thus, with a fortnight between attendance at police court in the city and petty sessions in the country, my colleague has one day unoccupied by court business. I have two, but even these days are generally taken up by other important duties.

194. How does it come that one fortnight differs from another in that respect?—Because in our regular weekly attendance in the rural district one petty session occurs in his week more than in mine.

195. Mr. BLACKWOOD.—How do you manage leave of absence?—We cannot both leave at the same time. My colleague gets leave, say for a month. When he returns I get leave, or I may go on leave before him, as the case may be.

196. How are the two courts filled then?—There are a number of local magistrates, and they kindly

undertake to discharge the duty of the resident magistrate while he is away, and the resident magistrate, who remains in the city attends as far as he can to both the city and county districts, according to the business requiring his presence.

217. That is a gratuitous service that you perform for one another—you do not compensate each other for undertaking to discharge the duties?—No; the whole duty is undertaken by one resident magistrate as far as he can perform it while the other is absent or leave.

218. Mr. O'REILLY.—Your duties are not similar to those of the police magistrates of Dublin, inasmuch as the business of the county petty sessions is also discharged by unpaid magistrates?—The country petty sessions are attended by local magistrates, and the city petty sessions by the local magistrate also, but the majority of the latter are men of great business, and they can only remain in court for a short time each day when they do attend, so that the resident magistrate has to do the bulk of the business. I may tell you that there is a general desire, on the part of the litigants, to have the resident magistrate present, and the local magistrate, generally speaking, wish for his attendance at petty sessions too.

219. Mr. BLACKWOOD.—How long have you filled the appointment of resident magistrate in Cork?—I was appointed to Cork in January, 1863.

220. Had you been stationed in any other districts previously?—I was in Galway and in Sligo, and in one or two other country districts.

221. Lord MOSCOW.—Are you aware whether there are other large towns—we know it is the case in Belfast—in Limerick, for instance, where the work is of the same character?—I have no idea of what the amount of work to be done in Limerick is; I am sure that it cannot be as heavy as it is in Cork, because there is a large trade done in Cork.

222. Are the requirements of the Cork petty sessions court, as you have described them, the habitual condition of the court, or is it due to any temporary circumstance?—It is the habitual condition of the court. There is a court held every day, and even after the hours I have mentioned the resident magistrate is frequently obliged to attend to the taking of informations and other duties consequent on the business which comes on during the sitting of the court.

223. Have you got a clerk?—I could not get a clerk to whom I could intrust the duties for £36 a year, so that I am obliged to get my son to assist me in them.

224. Mr. BLACKWOOD.—£36 a year is the amount allowed for a clerk?—Yes.

225. Lord MOSCOW.—Then, in point of fact, your son acts as clerk for you?—Yes.

226. You could not get on without one?—No, because there are a number of letters to be written, reports to be copied, and other matters pertaining to the duties of a clerk to be done.

227. Mr. O'REILLY.—What is the greatest distance from Cork you have to attend petty sessions?—Queenstown is the most distant; it is about 15 miles from Cork.

228. What is the one which is the next greatest distance?—Ballymardle, which is about 13 miles from Cork.

229. Is that statute miles?—Yes.

230. Is that the furthest?—Yes; there is also Passage, which is an important petty session; Queenstown petty sessions are held three times a week, and Passage once a week. Then there is Riverstown, about four miles, and Douglas, about two miles from Cork.

231. You are allowed forage for two horses?—Yes.

232. Do you keep two horses?—Yes.

233. Do you require two horses?—Yes; we have to drive to Ballymardle and other petty sessions, and besides accompanying the military on horseback if occasion should arise, and drive to places all where there are railways, if called on at times when the trains are not running, such as at night.

234. Lord MOSCOW.—Passage, Queenstown, and

Kinsale are accessible by rail?—Kinsale is not in our district.

235. Well, Ballymardle?—If we go by rail, we have to walk two miles and a half to Ballymardle from the station, and two miles and a half back again, as there is no public conveyance of any kind, and it is impossible to get a car; however, we are not called on very often to go to Ballymardle.

236. Do you think, from the peculiar circumstances of the district, it would be more satisfactory to be allowed a sum of money for travelling expenses, instead of being compelled to keep two horses, leaving you to find your way to petty sessions as best you could?—If the sum of money was equivalent, we should be in the same position as we are now, as the duties must be done; if the sum is larger than the present allowance, of course I would be very glad of the arrangement.

237. Is the present allowance for forage sufficient to allow you to keep two horses, without your being out of pocket?—These allowances were fixed when the rate of forage was low, but now it is very high. I brought with me the market rate, in a tabular form, to show you how prices have been raised of late years.

238. Can you buy forage for two horses in the year for £73?—If I was able to lay in a large quantity of forage at a favourable season I think I could do so; but in the city of Cork it is extremely difficult to get a horse having sufficient accommodation for the purpose, so that we are obliged to buy forage almost from week to week, which often causes serious loss.

239. Assuming that we should arrive at the conclusion that the present allowance for forage was too low, would it be more satisfactory to get an allowance in money, and that you should be allowed to find your way as best you could to your petty session districts, or to attend to your other duties which you have to discharge, without being compelled to keep two horses?—I would prefer to have the allowance on the terms you mention, because I can get cars in Cork when I require them, but as under any circumstances the duty must be done it would be a matter to consider whether or not it would be more expensive hiring cars when going on that duty than the keeping of horses. In connection with the subject of travelling, I may also remark that the local railways in Cork, such as Passage and Queenstown, have lately raised their fares a third.

240. What I want to find out is, would you prefer to be relieved from the obligation of keeping two horses (you might keep your horses if you pleased), if you found it a more desirable arrangement—say have the money given to you, so that you would be at liberty to find your own locomotion?—I think the position of a resident magistrate would be improved if he were allowed to provide his own locomotion. I think the body would almost entirely prefer to have allowances done away with altogether, and that a liberal and fair equivalent should be added to their salaries instead.

241. With or without the obligation of keeping horses?—Without the obligation of keeping the horses. At the same time, I think the position which a resident magistrate ought to occupy, as well as the exigencies of the service, would under any circumstances make it necessary for him to keep horses.

242. What we want to know is, whether you consider the obligation to keep a pair of horses is a thing which it is desirable to retain, or would you prefer to be allowed to find your way to those places where your duty requires you in your own manner?—I would prefer being allowed to find my way to my duty in my own way.

243. You told us just now that you had a list of the cost of forage in a tabular form?—Yes, of forage and all the necessaries of life.

244. What is it taken from?—From the newspapers of the day—the market prices in Cork.

245. What period of the year was it calculated in each case—what period, for instance, in 1863?—March.

November 12.

William R.
Sturte, esq

Answered 12.

William R.
Sturke, esq.

226. What period in 1863?—March also, and in November in 1872.
 227. Could you furnish us with a correct return

for the same period in each of those years?—I can; I will send it to you.

RATES OF PROVISIONS, also Hay, Straw, Oats, &c., for November in the Years 1863, 1865, 1866, and 1872.

| Year. | Beef per lb. | Mutton per lb. | Wool, per lb. | Bacon, per lb. | Pork, per lb. | Bacon, Pork, per lb. | Tares per acre. | Pease, per weight. | Oats per ton. | Wheat, per bushel. | Hay, per ton. | Oats, per ton. | Grass, per acre. | Grass, per acre. | Beef per bushel. |
|-------|-----------------|-------------------|------------------|-------------------|------------------|----------------------------|--------------------|-----------------------|------------------|-----------------------|------------------|-------------------|---------------------|---------------------|---------------------|
| 1863. | 4d-1d | 1d-1d | 4d-1d | 4d-1d | 4d-1d | 4d-1d | 17s | nd-1d | 11s | 4s | 3s 6d | 2s 10d | 4s | 4d | 4d |
| 1865. | 4d-1d | 1d-1d | 4d-1d | 4d-1d | 4d-1d | 4d-1d | 17s | nd-1d | 11s 6d-12s | 4s 6d | 3s 6d | 2s 10d | 4s | 4s | 4d-1d |
| 1866. | 5d-1d | 1d-1d | 5d-1d | 5d-1d | 5d-1d | 5d-1d | 17s | nd-1d | 12s | 4s | 3s 6d | 2s 10d | 4s | 4s | 4d-1d |
| 1872. | 5d-1d | 1d-1d | 5d-1d | 5d-1d | 5d-1d | 5d-1d | 17s | nd-1d | 12s | 4s | 3s 6d | 2s 10d | 4s | 4s | 4d-1d |

* These quotations are not so high as they ought to be. The prices that date in the district where 20—Hay, 20 lbs per ton, 20s 6d, 22 per ton. Oats, 2s

per acre.

The above returns, taken from *Cost Examiner* newspaper, published in the months of November, 1863-1865, and 1872, show a steady advance in everything for the last twenty years, so that the prices of all the necessaries of life have been nearly doubled since 1852; in some instances more than doubled. The prices of all kinds of wearing apparel have also advanced nearly to the same extent.

228. Mr. BLACKWOOD.—Can you give us any information with regard to house rent in Cork?—House rent is very high in Cork; it is exceedingly high now, and it is extremely difficult to procure a suitable residence.

229. Lord MOWBRAY.—In what proportion, could you tell me, has it increased of late years?—Over 20 per cent for the last five years.

230. How long have you known Cork?—I went there in January, 1866, and it was impossible then to get a house. I was told that houses could be got a few years before that for very nearly half the rent.

231. Mr. O'REILLY.—May I take it, that before that period you knew nothing about house rent in Cork?—Not practically.

232. Lord MOWBRAY.—How long has your colleague been there?—He was appointed the same time as I.

233. Mr. O'REILLY.—May I ask you what rent you pay for your house?—Altogether about £100 a year.

234. Of what does it consist?—I pay £83 a year rent, and the taxes about £21, and the money I must expend on the repairs of the house fully come up to £100 a year.

235. Lord MOWBRAY.—About £83 a year would be the rent and taxes?—That is for the house I have, but I would wish to have a better house if I could.

236. Could you ascertain for us what that very house would be let for ten years ago?—The rent of this particular house has not been increased for the last ten years; in fact it is the same now as then. This requires explanation, and the cause is that the house is not in a desirable locality, being on the flat of the city, where very few of the citizens reside, besides, the house is a very old one, the general timber work, and the window shades in particular being in a bad state. A short time since I offered my landlord a large increase of rent if he would consent to put new windows into the house, but he refused to do so. These are the causes which prevent the rent of this house from keeping pace with the general rise in the rents of houses in Cork of late years.

237. Has there been an increase in the taxes of your house of late years?—Yes; the taxes I have to pay have increased by over £4 per annum for the last five years.

238. Mr. BLACKWOOD.—You are allowed £22 a year for stationery?—I am.

239. Does that cover your expenses?—I think it does.

240. Mr. O'REILLY.—You are also allowed travelling expenses when you are absent from home?—There are no travelling expenses in the Cork district, the distances being short.

241. And you never travel more than twenty miles in your district?—Never more than twenty from Cork.

242. Lord MOWBRAY.—Is there any other statement you would like to make?—The only one is, that owing to the great increase in the prices of all the necessities of life, my present pay and allowances are perfectly inadequate to enable me to support myself in a fit and proper manner in Cork. With every fair economy, and with the best management, I find that I have not been able to do so without making serious inroads on my private means. If I was altogether dependent on my salary and allowances, I could not remain in Cork and maintain a proper position. In connexion with that I may also remark, that the influence of a resident magistrate depends a good deal on the position he holds in his district.

243. If there is any other statement you would like to make, we would be glad to hear you?—I might remark that recent legislation has increased the duties of the magistrates during the last five or six years.

244. Mr. O'REILLY.—How long have you been a stipendiary magistrate?—Eighteen years.

245. What were you before that?—I was a county magistrate.

246. Lord MOWBRAY.—Are the duties which you have got to discharge more than you can well do in the time opportunity allotted for them?—My whole time is occupied, and I am subject to calls on magisterial business at all hours, and at the most inconvenient times.

247. Not ever occupied?—My whole time is occupied, so that I have little time to myself.

248. Mr. BLACKWOOD.—Formerly, was not the whole of your time occupied in the discharge of your duties?—I was in a country district then, where the duties were not very heavy; I did not then know what the duties were in a city.

249. The duties of the Cork district have not increased since you were appointed?—Yes, there have been a number of Acts of Parliament passed lately which have given increased summary jurisdiction to magistrates, created new offences, and which imposes increased duties on resident magistrates, particularly those in cities.

John Charles O'Donnell, esq., examined.

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250. Lord MOWBRAY.—You are a resident magistrate of Belfast?—Yes, for upwards of eight years.

251. Where had you been previously?—I was previously in the county of Cavan as resident magistrate, but many years before that I was a county magistrate in my own county; I have for eight years acted as a county magistrate before I was appointed as a resident magistrate.

252. We heard the general case with reference to resident magistrates stated very fully yesterday, and therefore I will not take you through the whole of it—but is there anything peculiar in your position in Belfast that you would wish to bring before us?—The one thing prominent is the inadequacy and insufficiency of our salary, having regard to the responsible and onerous duties which we have to discharge.

253. What are the duties you have to discharge?—They are quite analogous to those done here by the divisional magistrates and the metropolitan police magistrate in London; and in addition to that, we have to be responsible for keeping the peace of the district both night and day. Many times it falls to my lot, owing to circumstances which frequently arise, to do that duty, and to be up with the police until two or three o'clock in the morning, that is when any disorder takes place.

254. Is there any other resident magistrate in Belfast but yourself?—There is a colleague, Mr. Orme.

255. How often do the courts sit?—They sit daily.

256. What is the ordinary length of the sitting?—The average would be from eleven o'clock, which is the hour that the court sits, or a little before that hour, and I never leave the office till five o'clock. I do not mean to say that the courts are sitting all that time; the average sitting is from eleven to half-past four o'clock each day.

257. Have you got any out petty sessions to attend to?—No.

258. Or your colleague?—No, Belfast itself gives us ample employment, with its population of 180,000 persons. There are two police courts sitting; one is for the custody cases, and the other is for the hearing of summonses; and we take them alternately.

259. Do they sit every day?—Yes; they sit every day simultaneously, and about the same period each day.

260. Mr. BLACKWOOD.—I suppose that you can get leave of absence?—Yes.

261. How do you arrange that?—We arrange that with the consent of the Government, without which we could not do so.

262. That is, you close one of the courts?—No, those duties are not exclusively confined to me, as the local magistrates sometimes assist us.

263. Lord MOWBRAY.—The local magistrates come to assist you?—They are not always there. The daily sitting of the court in Belfast is absolutely necessary, because the custody cases must be disposed of.

264. Mr. BLACKWOOD.—How long have you been appointed resident magistrate of Belfast?—In August, 1864, I was sent there on temporary duty, and I was permanently appointed there soon afterwards, at the time that the old police were abolished, and when the constabulary were constituted.

265. Are the ordinary duties which you have to perform more severe now than they were when you were appointed?—They are; they take up more time; the population has increased very much within the last eight or nine years, and also the wealth of the town which disposes the people to litigation, as they have plenty of money.

266. Lord MOWBRAY.—Are you compelled to keep a pair of horses?—I am allowed for the keep of a pair of horses the same as every other resident magistrate, and I keep them.

267. But they are not necessary for the discharge of your duty?—I have made no use of them on duty since I went to Belfast; my colleague also used to keep horses, but he made an arrangement with the Treasury

and the result is that he is not now asked to keep the horses; without having received such consent he could not do so.

268. Under these circumstances, I need not ask you whether you would not prefer a money allowance being given to you for locomotion without the obligation to keep horses?—In reference to that point, personally, I am careless about it.

269. You would keep horses in any case?—Yes; but at the same time I may state that what I am allowed for horses does not pay for their keep; and, in addition, everything I have to pay for, in the way of hiring cars, is extra, and out of my own pocket; in the late riot which took place in Belfast, I have had to pay half a sovereign for a car which I had out with me at night, and I could not charge it, so that I positively lose in that way.

270. Mr. O'REILLY.—Would it not be better for men in your position if an allowance was given for locomotion instead of wages, and leave them entirely free to keep horses or hire cars?—It is an arrangement that I should prefer, for the hiring of cars and conveyances is quite extra of the allowance made for the horses which does not cover their expenses.

271. Lord MOWBRAY.—Even if it did cover their expenses, when you hired a car, you would have to pay it out of your own pocket?—Yes, that is so.

272. Mr. BLACKWOOD.—Would the allowance you receive for wages be sufficient to provide locomotion by cars?—I do not think it would.

273. If that were to be added to the allowance for a servant which you now keep, in order to look after the horses, I suppose it would be sufficient?—The allowance for a servant and horses?

274. A commuted allowance, would, it cover the ordinary expense that you would have to pay for cars?—I think it would.

275. Lord MOWBRAY.—Could you give us any statement of the ordinary price of articles of consumption in Belfast in 1864, as compared with what they are at present?—Do you mean provisions?

276. Beef, mutton, bread, &c. —In 1864, the price of beef and mutton was then, I think 7d. a pound, the best description that was to be had; now it is 10d. and 11d., and sometimes 1s.

277. Take some other articles?—The two pound loaf was 4d.—it is now 6d., and I doubt if it would weigh that; it has increased a third in price, fuel has also increased very much in price, the rise in the price of fuel has taken place within the last six months—not only has it got very dear, but very bad of late.

278. With regard to house rent?—In fact, I don't know that I can say that rents have increased, but rents are very high in Belfast.

279. And always have been?—And always have been; the house I occupy for the last few years is a very moderate one, for which I pay £80 a year, and the taxes are £17 or £18 more.

280. Mr. O'REILLY.—You are now paying £80 a year rent?—£80 a year and about £17 or £18 taxes.

281. Lord MOWBRAY.—Do you recollect what it was you were paying in 1864?—I had then a furnished house, but I should say the rent would be about the same—well, there is another important item in household expenses, and that is servants' wages.

282. Could you tell us what the increase is in that respect?—Servants' wages, say a cook, in 1864, her wages would be £12 a year, and weekly money, tea and beer, a couple of shillings a week; housemaid and parlourmaid £5 and £9 a year; now, a cook of the same class would cost £18; a parlourmaid £14, and a housemaid about the same amount, I speak, of course, of a good class of servant, the same as any ordinary gentleman would like to have in his house, but I doubt if that can be easily got at the present time; then unskilled labour has increased enormously.

283. Could you tell us what is the increased cost of unskilled labour in Belfast?—I think it is about £1 a week.

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284. For the more skilled labourer?—Yes; and besides, they are very particular in demanding payment for overtime.

285. Mr. O'REILLY.—Do you know what the wages were in 1864, in Belfast, when you went to it?—12s. and 16s. a week.

286. Mr. BLACKWOOD.—Do you keep a clerk?—For my own use—no.

287. You have no clerk's work to perform?—Yes, very much indeed, but in Belfast the clerks of the courts do much of that, reports that I send to the Government and anything particular I do myself, and they are all in my own handwriting.

288. You do yourself in preference to keeping a clerk?—I should not like to confide certain reports to any clerk.

289. You look on the allowance for a clerk as remuneration to yourself?—It is understood that no resident magistrate does actually keep a clerk.

290. Mr. O'REILLY.—That we know—it is additional salary?—It was additional, some time ago the Executive wanted to make some allowance for a house, but it was objected to, and was not carried out, so the Treasury saw no objection to it.

291. Mr. BLACKWOOD.—Is the present allowance for stationery sufficient?—I do not think it is, I never looked particularly into the account. I paid my stations last year £10, and I was only allowed £8.

292. That might include your stationery for private purposes?—It might.

293. Lord Moseley.—With regard to your salary, is it your opinion that on the present salary, without his having any independent or private means, a gentleman in your position could live as a resident magistrate is expected to live?—Certainly not; the salary I receive would be inadequate to pay the ordinary expenses of the position that I would be expected to maintain and uphold in Belfast. I could not live on my present salary unless I had some private means at my disposal. If I had to do so I should be obliged to be what I would call shabby, mean, and unbecoming that position. Perhaps, at the same time, I should state that a resident magistrate in a place like Belfast occupies a somewhat prominent position, as he is looked on as the local representative of the Government. He is far better known and more prominent than a metropolitan police magistrate in London, or a divisional magistrate in Dublin.

294. Mr. BLACKWOOD.—What is your scale of pay?—It is only £400 a year.

295. Mr. O'REILLY.—In your case, there is no extra allowance in Belfast?—There is not. I wish to let the Commissioners know that Belfast was always considered for the resident magistrate as an exceptional case. When Sir Thomas Larcum was Under-Secretary, he never appointed anyone to Belfast who had not previously been a first-class resident magistrate, with a salary of £500 a year. My colleague had only £400 a year when he was sent there, and Sir Thomas Larcum, although it was out of his turn, increased his salary. When I was appointed to Belfast, although it was not my turn, my salary was raised from £300 to £400 a year, for the same reason, because I was sent to Belfast. The observation I made with regard to myself I think applies to all—perhaps not to the same extent in all places. I was in the same position as they are now, for I was living in a county district, and they all think that the salary is not sufficient to enable them to maintain the position they occupy, having regard to the duties they perform.

296. We all know that as a matter of necessity there are a great many applications for the station of resident magistrate, showing that even at the present salary it is a position which is a good deal coveted; do I understand you to say that, as a general rule, the gentlemen who seek those stations seek them rather as a supplementary means to their income than as a means of living for themselves?—I cannot say that; I am not able to say whether they seek it as being a means whereby they may supplement their own private incomes, or as their only means of living.

297. Mr. O'REILLY.—Is it not a fact that a great many of the stipendiary magistrates are gentlemen who have no means of their own?—I believe that is the fact.

298. Lord Moseley.—Are there not a great many candidates for the office if there is a vacancy?—I believe there is no doubt of that, and I have little doubt that if the salary was less there would be an equal number of candidates found looking for it; however, that is not the point, but what the men should be paid who do the work, what is the proper salary.

299. Is there any other statement that you would wish to make with reference to your own position?—There is one which I should like to bring before you, it is personal to myself; my position in Belfast is subordinate with that of Mr. Orme, and I think it is hard that I should be doing the same duty for a smaller salary.

300. How long have you been in the force?—I am eight years, or going on nine years.

301. How long is Mr. Orme in the force?—He is some twenty years.

302. Mr. O'REILLY.—Do you consider, apart from the general question of the salary of stipendiary magistrates, that the case of a resident magistrate in Belfast is so peculiar as to justify a claim for increased salary when there?—I do.

303. Will you give us your reasons for that?—I will give four reasons—the constant duties performed, the responsibilities of the place—when I speak of responsibility, I may state that the Government holds Mr. Orme and myself responsible for the peace of the district; thirdly, there are no advantages whatever in Belfast from allowances that other resident magistrates have, either for travelling or anything else; and fourthly, the cost of living in Belfast is greater than in any country district.

304. Were your expenses as a magistrate in the country—you have had some experience in that respect—considered an advantage?—Yes.

305. Lord Moseley.—Do you mean that they made money of them?—I think so, in this way. There are some districts where the magistrate, in the performance of his duty, is absent eight or ten days out of fourteen—that is twenty or more out of the month—and for these twenty days he is paid as much for his expenses; he travels a good deal about, and I do not think that all the expense he is allowed is quite spent.

306. Is that not quite inconsistent with the statement of some of the magistrates who were examined here, that the allowance was quite insufficient?—I cannot say that, but I am aware that such is the case.

307. Mr. BLACKWOOD.—I suppose that you take into account the saving he would effect if he was staying with a friend?—If he does he saves a good deal of his allowance for expenses, but on that point I would like to give my views, I think it is a very objectionable proceeding on the part of a magistrate going about the country, on duty, to stop at a gentleman's house; I think if there is a hotel, or a proper place in the neighbourhood for him to stop at, it is there he should put up; I said before that hotel and travelling allowances rather demoralised the body than otherwise.

308. Why should you think it better not to spend the night with a friend?—I think he would study his own independence more by not doing so.

309. Mr. O'REILLY.—Might you not put it in this way—would your reason be, that from the state of political parties in Ireland, a resident magistrate going about to administer justice, is liable to incur suspicion if he is staying in the house of a man of well-known strong political opinions?—I would not say that; I quite coincide with you, that if a session is to be held, the resident magistrate, if there is a suitable place to stop at, should not stop at the house of a magistrate who may adjudicate on a particular, in which there may be disputes of a social character, when the res-

dent magistrate may agree with his host, and the people will not understand it, although the decision may be just.

310. Lord Moxon.—I understand your answer to the first question to be, that even assuming the magistrate stopped at a hotel when he goes on those different expeditions, you think there is something to be made out of the allowance?—I do not mean out of the hotel allowance.

311. Well, the allowance generally?—My objection is to stop at any place except an hotel, so that he will be free and independent, and I may be allowed to say that I have always carried it out in my own case; I have been occasionally sent to Derry, where I have a number of personal friends whose houses are always open to me to stop in when I am there, but I would not stop at these houses, as I always prefer to be free and independent.

312. That is a question of policy, but what we are now specially inquiring into, is the pecuniary allowance—is there anything to be made out of them?—There is not a penny to be made out of the allowance of 16*s.* a night for hotel expenses.

313. What about the allowance of 1*s.* a mile?—As to the 1*s.* a mile, there may be something made out of it.

314. You said that was objectionable and demoralising to the body generally?—I think so—it might make a man covetous, perhaps mean.

315. I believe that you are acquainted with some districts where travelling expenses are allowed, having had experience in the matter yourself—I am.

316. Do you think, looking at the opinion which you have just expressed, that it would be a good plan if, for each magistrate's district, a scale could be laid down, and a lump sum paid to the magistrate, out of which he was to provide for his travelling expenses?—That was the suggestion I was respectfully going to offer—to have an average taken of the actual expenses incurred in certain districts, and give an allowance in a bulk sum for the performance of these duties.

317. Do you not think, under the existing regulations, it would be possible for the magistrate to

shirk his duty—in fact to avoid his duties, in order that more of the commuted allowance might come into his own pocket?—No; there is a check on that; he is obliged to make a report monthly to the Castle, and to explain why he did not attend a particular petty session. I think the clerks of the petty sessions have also to give a return to the Government of the attendance of the magistrates; that regulation does not affect me, and I understand it is done to ascertain if the resident magistrate was present or not.

318. Mr. O'REILLY.—Would you explain somewhat in detail why you state the cost of living in Belfast is greater than in any country district?—Butcher's meat is dearer, and all the necessaries of life are dearer; servants' wages and house rent are higher. Might I mention that the salary of the chief clerk in the police court is £300 a year; and he has an allowance for the collection of some taxes which makes it up I think to £400, so that he has a salary equal to mine without any of the claims upon him, and without entailing so much expense as I must incur.

319. Mr. BRADWOOD.—By whom is the clerk appointed and paid?—He is appointed by the magistrate, with the sanction of the Lord Lieutenant, and paid by the register of fines and penalties, petty sessions clerks throughout Ireland have got by special bill £300 a year salary.

320. Lord Moxon.—Is there any other suggestion you would like to make?—I may mention that in 1863 a proposition was made at the time of the introduction of the Constabulary Bill, to increase the salary of the resident magistrate. A clause was inserted in the Constabulary Bill for that purpose, but was afterwards struck out. I wish also to call attention to the fact, that in the Constabulary Bill of 1863, the salary of the town inspector of constabulary for Belfast was raised to £400 a year—that is £100 a year in excess of the ordinary salary of a county inspector, showing that Belfast was considered exceptional for police as well as magistrates. The inspectors of Constabulary serving in Belfast have double the allowance for lodgings given to officers in other districts.

Adjourned.

November 12.

John Charles
O'Donnell, esq.

APPENDIX.

RESIDENT MAGISTRATES.

APPENDIX I.

RESIDENT MAGISTRATES.

Alex, Wexford, 17th July, 1872.

My dear Sir,—In accordance with the suggestion kindly made by you on Monday, to the deputation of resident magistrates who had the honour of an interview, I now beg to enclose a statement of our claim for increased remuneration, in order that you may lay it before His Excellency with, let us hope, a favourable recommendation from yourself.

Believe me, very faithfully yours,

T. H. Burke, esq.

R. F.-G. REAS.

To His Excellency the Right Honourable the EARL SPENCER,
Lieutenant-Governor and Governor-General of Ireland.

May it please your Excellency

An senior Resident Magistrate of those present at a meeting of that body, held on the 13th Inst., for the purpose of devising the best means of having their claims for increased remuneration, brought under the consideration of Government, it becomes my duty to have the honour of laying before your Excellency, a statement of our case as adopted on that occasion.

Permitting the public papers that Royal Commissioners are about being nominated for the purpose of investigating the complaints of the Civil servants of the Crown, as to the insufficiency of their emoluments, I am instructed to express an ardent hope, that your Excellency will procure for us the advantage of having our claims brought within the scope of the Commissioners' inquiry, when we feel confident, we shall be able to sustain by evidence the facts set forth in the following statement.

That the Resident Magistrates were appointed under an Act of Parliament, the 6th William IV., chap. 13, wherein their salary was fixed at £400 per annum, which sum we may fairly presume, was then considered the minimum at which we could fairly maintain ourselves in a position of respect and independence. That since the passing of that Act (1835), all the most essential and expensive necessities of domestic consumption have advanced in price fully 100 per cent., to which may be added servants' wages and the cost of horses (of which we are obliged to keep two for the public service). That therefore it is manifest the salary then considered adequate is now wholly insufficient to enable us to maintain ourselves in a similar position. That recent enactments, such as the Peace Preservation Act, Small Debts Act, Criminal Justice Act, and others, have added considerably to our duties and responsibilities without any increase of salary, but which we are informed has been granted to English Magistrates for a similar cause. That while it is true some twenty of the senior members of our body, in consideration of their long and faithful service, re-

cive £100 per annum extra pay, yet as that was granted wholly without reference to altered times, as before alluded to, it should not be taken into consideration, particularly as the increase in favour of our seniors was the result of an arrangement by which a similar number of our juniors were placed on a salary of £200 per annum, an amount we may be permitted to add, which recent legislators have considered to be only sufficient remuneration for Petty Sessions Clerks serving under them. That while the importance of our office and our service to the Crown and country have been fully recognised by the heads of the Government in Ireland, yet we have not been favoured with a corresponding recognition as regards our emoluments. That without detracting from the merits of other Civil servants, or in the least detracting from the claims of other Civil servants, or in the least detracting from their claims for further remuneration, we may mention that the pecuniary position of the assistant barristers (now choristers of counties) has been considerably improved. That the constabulary (under whose Act we are appointed) have recently been granted a "lodging allowance" and a "good service pay" after a short period, while we have been wholly unassisted. And lastly, that the argument advanced in favour of the sufficiency of our present pay—viz., "That there are many applicants for the appointment"—is fallacious, inasmuch as the same would not be consistent with the dignity or justice of Government to take such into consideration when deserving offices are occupied.

Trusting that your Excellency may be pleased to regard with favour this our application, I have the honour to subscribe myself

Your humble and obedient servant,
R. F.-G. REAS, esq.

On behalf of the Resident Magistrates of Ireland.

Wexford, July 17th, 1872.

Memorial, Resident Magistrates, Ireland.

Write to Mr. Hyne, a.m.

That by a memorial of the 17th inst. requesting the non-increase of the salary received by the resident magistrates has been brought under the notice of Her Majesty's Government, and that the subject will be included in the scope of the inquiries to be made by the Commissioners of Inquiry into the salaries of Civil Servants in Ireland. I am however to add that the present system of allowances to resident magistrates is considered to be open to objection, and that the attention of the Commissioners will be directed, not only to the amount of remuneration received by the magistrates, but also to the placing of their emoluments under more satisfactory regulation.

T. H. B. 30/7/72. H. 28 31/7/72.

APPENDIX II.

STATEMENT OF THE GROUNDS ON WHICH THE RESIDENT MAGISTRATES IN IRELAND DEDUCE THEIR CLAIMS FOR INCREASED REMUNERATION.

That the Resident Magistrates in Ireland were appointed under an Act of Parliament, 6th and 7th William IV., chap. 13, whereby their salary was fixed at £400 per annum, which sum we may fairly presume was then considered the minimum at which they could maintain themselves in that position of respect and independence which we believe it was designed they should fill, and which we know to be essential to the public interest.

That since the passing of that Act (1835) all the most essential and expensive necessities of domestic consumption have advanced in price fully 100 per cent., to which may be added, in the same proportion, servants' wages, and the price of horses (of which we are obliged to keep two for the public service).

That, therefore, it is manifest the salary then considered adequate is now wholly insufficient to enable us to maintain ourselves in a similar position.

That recent enactments, such as the Peace Preservation Act, Small Debts Act, Criminal Justice Act, and others, have, without any increase of salary, added considerably to our duties, which, we submit, being both executive and judicial, necessarily involve an amount of personal risk and responsibility to which no other public servants are subject.

That it is true some twenty of the senior members of our body, in consideration of their long and faithful services, receive £100 per annum extra pay, yet, as that was granted wholly without reference to altered times (as before alluded to), it should not be taken into account, particularly as the

Increase in favour of our action was the result of an arrangement by which a smaller number of our juries were placed on a salary of £300 per annum—an amount we may be permitted to add, which the Legislature has recently considered to be only sufficient remuneration in some instances for Petty Session Clerks serving under us.

That without detracting from the merits of other Civil servants, or in the least desiring to interfere with their claims, we may mention that many Government officers, with larger salaries, are not paid off, as we see, from the practice of their professions, or the holding of other appointments.

That whereas as it appears from the Chief Secretary's letter of the 18th August, it is the intention of the Government to bring under the notice of the Commissioners the allowances of Resident Magistrates, with a view to their re-adjustment, the following facts are submitted in reference thereto:—

1st.—That from the high price of horse fodder of late years, and the increase of all incidental expenses connected with their support, two shillings per day for each is really insufficient.

2nd.—That twenty miles from home and twenty back, before we are entitled to make any charge for mileage within our districts, is an excessive and unreasonable distance.

3rd.—That fifteen shillings per night, when absent on duty, is inadequate to meet our expenses.

That in addition to the foregoing allowances we may call attention to the fact that prior to the passing of the Act of 1836, Resident Magistrates enjoyed a lodging allowance of £100 per annum, of which we were then deprived, and which has not been since restored to us, although house-rent has considerably increased since that period.

At a numerously attended meeting of our body, held at the Hibernian Hotel—

E. F.-G. ERAS, Esq., is the chair—

the foregoing amended statement was unanimously adopted, and the following gentlemen were appointed as a Committee to carry out the details:—

G. L. GOOLD, Esq.
E. F.-G. ERAS, Esq.
G. A. MELVILLE, Esq.
Captain the Hon. T. P. POWELL,
Lieut.-Colonel the Hon. W. P. FORBES,
Captain SLACK,
A. M. MARSHALL, Esq.

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